

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 MARK HAGERMAN,

4 Plaintiff

5 v.

6 CORNUTT, et al.,

7 Defendants

Case No.: 2:23-cv-00491-APG-DJA

**Order Denying Motion to Enforce
Settlement**

[ECF No. 59]

8 The parties settled this case in July 2024 and filed a stipulation to dismiss the case, which
9 I granted. ECF Nos. 57, 58. Plaintiff Mark Hagerman contends the defendants have not fulfilled
10 the terms of the settlement, so he moves for an order either compelling the defendants to comply
11 or reopening this case. ECF No. 59. The defendants have produced documents showing that
12 Hagerman acknowledged receipt of all items satisfying the terms of the settlement. ECF Nos. 61-
13 2, 61-3. Hagerman has not disputed that. Thus, his motion is moot.

14 In addition, this court lacks jurisdiction over Hagerman's request.

15 [F]ederal courts do not have inherent or ancillary jurisdiction to enforce a settlement
16 agreement simply because the subject of that settlement was a federal lawsuit. When the
17 initial action is dismissed, federal jurisdiction terminates. . . . A motion to enforce the
settlement agreement, then, is a separate contract dispute requiring its own independent
basis for jurisdiction.

18 *O'Connor v. Colvin*, 70 F.3d 530, 532 (9th Cir. 1995) (citations omitted). In my order
19 dismissing the case, I did not retain jurisdiction to enforce the settlement agreement. And there
20 is no federal question or diversity jurisdiction over Hagerman's claim that the defendants
21 breached the settlement agreement. Therefore I lack jurisdiction to grant Hagerman the relief he
22 seeks.

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1 I THEREFORE ORDER that the motion to enforce settlement (**ECF No. 59**) is **denied**.

2 DATED this 21st day of November, 2024.

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6 ANDREW P. GORDON
7 CHIEF UNITED STATES DISTRICT JUDGE
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